W.P. No. 310 of 2001(S/B)

Hon'ble A.A. Desai, C.J.
Hon'ble P.C. Verma, J.

Heard learned counsel for the petitioner and Sri Paresh Tripathi for the Bank.

The petitioner was bank employee. Under the scheme, he applied for voluntary retirement. However, on the next date according to the petitioner he sent a letter for withdrawal of his application for voluntary retirement. The basic pursuant to the scheme of voluntary retirement relieved the petitioner.

The correctness and legality of the order of the relieving of the petitioner is the subject matter of this petition.

Heard Sri Lalit Tewari at length. According is him over the application for voluntary retirement is withdrawn, the basic cannot legitimately act upon it and therefore the consequence of the order of relieving is bad.

We have heard the learned counsel at length. The scheme for voluntary retirement as flouted stipulates a condition that once the employee tenders application for voluntary retirement, he will have no right to withdraw the same. The learned counsel for quite some time urged that the condition is unreasonable. We do not accept this submission, the petitioner has voluntarily submitted to the scheme. Besides this what is more pertinent in view of the special scheme, the petitioner has availed monetary benefits admissible to him. It is, therefore, neither just nor equitable to entertain the petition.

The petition is dismissed.

Sd/- Sd/-

Dt.03.5.2001